

# SHAVITZ

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Friday, September 10, 2021

Via ECF

The Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: *Bethel v. Bluemercury, Inc.* 1:21-cv-02743-KPF**  
***Request for Extension of Time to File Motion for Conditional Certification***

Honorable Judge Failla:

Shavitz Law Group, P.A. represents the Plaintiffs in the above captioned action. Plaintiffs write to request an extension of time to file their Motion for Conditional Certification until September 24, 2021.

This is an action for unpaid overtime brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §§ 201, *et seq.* (“FLSA”) and New York Labor Law, Article 6, §§ 190 *et seq.*, Article 19, §§ 650 *et seq.* (“NYLL”). On August 16, 2021, this Court entered an Order requiring Plaintiffs to file their Motion for Conditional Certification by September 15, 2021. Plaintiffs have been diligently working to prepare the motion and supporting documents. However, counsel for Plaintiff, Camar R. Jones, experienced the death of a close family friend, and has had to attend to matters relating to that event. Consequently, Plaintiffs respectfully request and extension of time until September 24, 2021 to file their Motion for Conditional Certification. Counsel for Defendant has no objection to the request, providing that Defendant is permitted to respond to the Motion by October 25, 2021. Plaintiffs also request that the deadline for them to file their reply in support of the Motion is similarly extended to November 2, 2021.

This request is being made in good faith, and not for any dilatory purposes. Neither party will be prejudiced by the relief being sought.

Respectfully submitted,



Camar R. Jones, Esq.

Cc: Brian Tremer, Esq. (*via ECF*)  
Michael J. Palitz, Esq. (*via ECF*)

Application GRANTED. The Court extends its condolences.

Plaintiffs shall file their motion for conditional certification on or before **September 24, 2021**. Defendants shall file their response on or before **October 25, 2021**. Plaintiffs shall file their reply on or before **November 2, 2021**.

The Clerk of Court is directed to terminate the motion at docket entry 23.

Dated: September 13, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE